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ROBERTSON STEPHENS, INC.

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Attorneys for Plaintiff
THE TISCHER COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IT IS HEREBY STIPULATED by and between Plaintiff THE TISCHER COMPANY (“Plaintiff”) and Defendant ROBERTSON STEPHENS, INC. (“Robertson Stephens”) (collectively referred to herein as “the Parties”) through their attorneys of

1 record that Defendants ROBERT STEPHENS, INC., a Massachusetts company, SAM
2 RESHWAN, Mr. HAITHCOCK and Mr. BROCKHOFF in the above-captioned action be
3 and hereby are dismissed with prejudice pursuant to Fed. Rule Civ. Proc. 41(a)(1)(A)(i)
4 or 41(a)(2) and that the above-captioned action continue as to all other parties given that
5 the parties seeking to be dismissed have settled the case with Plaintiff.

6 IT IS STIPULATED AND AGREED that an Order may be entered
7 dismissing with prejudice Defendants ROBERTSON STEPHENS, INC. a Massachusetts
8 company, SAM RESHWAN, Mr. HAITHCOCK and Mr. BROCKHOFF from the above-
9 captioned action and that the action continue as to all other parties.

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12 DATED: July ___, 2008

//s/ Philip Asiano
PHILIP L. ASIANO
LAW OFFICE OF PHILIP L. ASIANO
Attorneys for Plaintiff
THE TISCHER COMPANY

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17 DATED: July ___, 2008

//s/ Nicole Bussi
PHILIP A. MCLEOD
NICOLE S. BUSSI
KEESAL, YOUNG & LOGAN
Attorneys for Defendant
ROBERTSON STEPHENS, INC.

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2 ~~PROPOSED~~ ORDER
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4 Upon the stipulation of the Parties and good cause appearing therefore, IT IS
5 ORDERED that the above-captioned action is dismissed with prejudice.
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7 Dated: 7/16, 2008
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10 UNITED STATES DISTRICT JUDGE
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